

# **CITY COUNCIL AGENDA**

**OCTOBER 24, 2000**

## **SYNOPSIS**

LINDA J. LE ZOTTE  
CHARLOTTE POWERS  
CINDY CHAVEZ  
VACANT  
MANNY DIAZ

DISTRICT 1  
DISTRICT 2  
DISTRICT 3  
DISTRICT 4  
DISTRICT 5

RON GONZALES MAYOR

FRANK FISCALINI  
GEORGE SHIRAKAWA, JR.  
ALICE WOODY  
JOHN DIQUISTO  
PAT DANDO

DISTRICT 6  
DISTRICT 7  
DISTRICT 8  
DISTRICT 9  
DISTRICT 10

**To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call 1 (408) 277-4424 or 1 (408) 998-5299 (TTY) at least two business days before the meeting.**

**On occasion the City Council may consider agenda items out of order.**

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## **1 CALL TO ORDER AND ROLL CALL**

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**9:30 a.m. - Closed Session, Room 600, City Hall**

**Absent: Council Members - None.**

**Vacant: District 4.**

**1:35 p.m. - Regular Session, Council Chambers, City Hall**

**Absent: Council Members - None.**

**Vacant: District 4.**

**7:05 p.m. - Public Hearings, Council Chambers, City Hall**

**Absent: Council Members - None.**

**Vacant: District 4.**

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## **2 INVOCATION**

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**Pastor Ray Ellis, Willow Vale Community Church, delivered the invocation.  
(District 9)**

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## **3 PLEDGE OF ALLEGIANCE**

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**Mayor Gonzales led in the Pledge of Allegiance.**

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## **4 ORDERS OF THE DAY**

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**Approved.**

## **5 CEREMONIAL ITEMS**

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- a. Presentation of commendation and award of the Outstanding Employee Recognition Award to Don Zonic, Senior Maintenance Worker, Department of General Services. (City Manager's Office)

**Joining Mayor Gonzales at the Podium were City Manager Del D. Borgsdorf, Director of General Services Steve S. Yoshino, and honoree Don Zonic who was recognized for exemplary work ethics in the General Services Department and at the Water Pollution Control Plant. City Manager Borgsdorf presented a plaque and monetary award to the employee, and Mayor Gonzales presented the commendation recognizing Don's outstanding contributions to the City of San José. He invited the employee's family to stand and be recognized. Don Zonic acknowledged the hard work of co-workers Trinidad Sanchez and Chris Flores, and retired City employee Ramiro Fernandez.**

- b. Recognition of the San José/Santa Clara Water Pollution Control Plant's national award of excellence for operations and maintenance from the U.S. Environmental Protection Agency. (Environmental Services)

**Joining Mayor Gonzales at the Podium were Director of Environmental Services Carl W. Mosher, and Tom Huetteman, Chief Water Compliance Officer for Region Nine, U.S. Environmental Protection Agency, who presented EPA's National Waste Water Management Excellence Award to the San José/Santa Clara Pollution Control Plant for the Plant's outstanding technological achievements through commitment to excellence and innovative practices in waste water treatment, comprehensive and holistic approach to improving water quality embodied in its Clean Bay Strategy. Carl Mosher accepted the plaque and related certificate that were presented during the Water Federation Conference held in Anaheim, CA., on Monday, October 16, 2000, by the U.S. EPA Representative from Washington, D.C. Carl Mosher introduced staff members of the Water Pollution Control Plant and Watershed Division, and asked them to stand and be recognized.**

## **6 CONSENT CALENDAR**

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- a. **Minutes for Approval**

- (1) Regular Meeting of September 5, 2000  
**Approved.**
- (2) Joint City Council/Redevelopment Agency Meeting of September 5, 2000  
**Approved.**
- (3) Regular Meeting of September 12, 2000  
**Approved.**

## **6 CONSENT CALENDAR**

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### **a. Minutes for Approval**

- (4) Joint City Council/San José Financing Authority Meeting of September 12, 2000  
**Approved.**
- (5) Joint City Council/Redevelopment Agency Meeting of September 12, 2000  
**Approved.**

### **b. Ordinances for Final Adoption**

- (1) ORD. NO. 26196 – Adopts the Neighborhood Business Clusters Redevelopment Plan and makes certain findings.  
[Deferred from 9/19/00 – Item 6b(4) et al., and 10/10/00 – Item 6b(1)]  
**Deferred to 11/21/00.**
- (2) ORD. NO. 26197 – Amends the Julian-Stockton Redevelopment Plan, the Olinder Redevelopment Plan, the San Antonio Plaza Redevelopment Plan, the Rincon de Los Esteros Redevelopment Plan, the Pueblo Uno Redevelopment Plan, the Edenvale Redevelopment Plan, the Guadalupe-Auzerais Redevelopment Plan, the Market Gateway Redevelopment Plan, the Century Center Redevelopment Plan, the Alum Rock Avenue Redevelopment Plan, the East Santa Clara Street Redevelopment Plan, the Almaden Gateway Redevelopment Plan, the Story Road Redevelopment Plan, The Alameda Redevelopment Plan, the West San Carlos Street Redevelopment Plan, the Japantown Redevelopment Plan, the Monterey Corridor Redevelopment Plan, the Park Center Redevelopment Plan, the Civic Plaza Redevelopment Plan, and the Neighborhood Business Clusters Redevelopment Plan to effect the merger of said Redevelopment Project Areas and making certain findings.  
[Deferred from 9/19/00 – Item 6b(5) et al., and 10/10/00 – Item 6b(2)]  
**Deferred to 11/21/00.**

### **c. Public Hearings Set by Council** **None.**

### **d. Plans and Specifications**

- (1) Adoption of resolutions approving plans, final map, and contract for subdivision tracts.  
**None.**

## 6 CONSENT CALENDAR

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### e. Contracts/Agreements

- (1) Adoption of a resolution authorizing the City Manager to execute a third amendment to the license agreement for the placement of a loading bridge on the Ramp at Gate C-9 at the San José International Airport to Delta Air Lines, Inc. with a month-to-month term from November 1, 2000, not to extend beyond November 30, 2007, with annual revenue to the City in the amount of \$1,789. CEQA: Resolution No. 67380. (Airport)  
**Resolution No. 69944 adopted.**
- (2) Approval of a consultant services agreement with Chabin Concepts, Inc. for preparing an application to the California Trade and Commerce Agency (CTCA) requesting an extension to San José's Enterprise Zone for an additional five (5) years, in an amount not to exceed \$115,000. (Economic Development)  
**Approved.**
- (3) Approval of award of open purchase orders for supplies, materials, equipment, and services for FY 2000-2001 #15, and authorization for the Director of General Services to execute the purchase orders. (General Services)  
**Approved.**
- (4) Adoption of a resolution authorizing the Director of General Services to:
  - (a) Execute an amendment extending the term of the agreement for Maintenance Oversight with AZTEC/MCE Corporation for a one-year term from November 1, 2000 to October 31, 2001; add additional facilities where service is provided to include the Mexican Heritage Plaza and the Tech Museum of Innovation; increase compensation by \$114,390, from \$89,890 to a total amount not to exceed \$204,280; and add an option provision to allow the contract to be extended for an additional year after October 31, 2001.
  - (b) Execute the one (1) additional one-year option without further Council approval other than the appropriation of funding.(General Services)  
**Resolution No. 69945 adopted.**
- (5) Adoption of a resolution authorizing the Director of General Services to execute all necessary documents to add thirteen (13) midsize sedans to the Master Equipment Lease agreement with PB Municipal Funding Inc., as outlined in Resolution No. 69574, for:
  - (a) Ten (10) replacement vehicles for inspectors in the Department of Planning, Building and Code Enforcement's Multiple Housing Program.
  - (b) Three (3) fleet additions for the Department of Planning, Building and Code Enforcement's Neighborhood Cleanup Program and Multiple Housing Program.(General Services)  
**Resolution No. 69946 adopted.**

## **6 CONSENT CALENDAR**

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### **e. Contracts/Agreements**

- (6) Approval of a consultant agreement with Hargis & Associates for test development services for Fire and Police Department promotional examinations, for a total amount not to exceed \$83,300. (Human Resources)

**Approved.**

- (7) Approval of a three (3) year lease agreement with CBBS Investments for 1,176 useable square feet of office space on the first floor of their building located at 595 Park Avenue for Our City Forest, at a rental rate of \$2,940 per month during the entire term of the lease, commencing retroactively on October 1, 2000. (Public Works)

**Approved.**

- (8) Approval of an agreement for consultant services with Kimley-Horn Associates to prepare engineering plans, specifications, and costs estimates for a Downtown Parking Guidance System in an amount not to exceed \$367,117, for the period October 24, 2000 to October 24, 2001. (Streets and Traffic)

**Approved.**

### **f. Routine Legislation**

**No Items for Consideration.**

**END OF CONSENT CALENDAR**

## **7 COMMISSION, COMMITTEE, AND STANDING REPORTS**

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### **a. Report of the Study Session**

**Mayor Gonzales, Chair**

**No Report.**

### **b. Report of the Rules Committee – October 11, 2000**

**Vice Mayor Fiscalini, Chair**

- (1) Review October 24, 2000 Draft Agenda  
**The Committee approved the October 24, 2000 City Council Agenda with two changes.**

## **7 COMMISSION, COMMITTEE, AND STANDING REPORTS**

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### **b. Report of the Rules Committee – October 11, 2000 – (Cont'd.)**

#### **Vice Mayor Fiscalini, Chair**

- (2) Add New Items to October 17, 2000 Amended Agenda  
**The Committee recommended one addition to the October 17, 2000 City Council Agenda.**
- (3) Meeting Schedules  
**None Presented.**
- (4) The Public Record  
**The Committee noted and filed the Public Record for the period September 27-October 3, 2000.**
- (5) Request to use Council General Funds to attend the National League of Cities Congress of Cities Conference, December 4-10, 2000 in Boston, MA (Dando, Powers)  
**The Committee approved the use of Council General funds by Council Members Dando and Powers to attend the National League of Cities' Conference of Cities Conference in Boston, MA, December 4-10, 2000.**
- (6) Council Referrals for Assignment to Appropriate Committee, Administration, or Council Appointee  
**None Presented.**
- (7) Oral communications  
**None Presented.**
- (8) Adjournment  
**The meeting was adjourned at 2:10 p.m.**

**The Rules Committee Report and actions of October 11, 2000 accepted.**

### **c. Report of the Finance and Technology Committee – October 11, 2000**

#### **Council Member Woody, Chair**

- (1) Consent Items
  - (a) Monthly Investment Report for August 2000
  - (b) Investment Committee Meeting Minutes of 9/14/00
  - (c) Finding Reports on Bay 101 Conditional Approval of Stock Transfer: Bay 101**The Committee recommended approval of the Consent Items.**
- (2) Annual Debt Report  
**This item heard by Council on 10/17/00.**

## **7 COMMISSION, COMMITTEE, AND STANDING REPORTS**

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**c. Report of the Finance and Technology Committee – October 11, 2000 – (Cont'd.)  
Council Member Woody, Chair**

- (3) Report on Union Bank of California Banking Services Agreement  
**The Committee recommended acceptance of the staff report.**

**See Item 9a for Council action taken.**

- (4) Monthly Financial Report for August 2000  
**The Committee recommended acceptance of the staff report.**
- (5) Police Sworn Staffing Report  
**The Committee recommended acceptance of the staff report with the direction to provide Committee Members with statistics on hiring trend information and that the City Manager's office develop a proposal that extends the Mayor's Housing Plan for teachers to public safety officers.**
- (6) Update on Police Automated Information System In-Field Reporting Component  
**The Committee recommended acceptance of the status report.**

**See Item 9b for Council action taken.**

- (7) Request from City Auditor to Amend the Workplan  
**The Committee recommended approval of the amendment to the workplan and directed Staff to initiate the change to the City's Administrative Manual.**
- (8) Audit Report of the City of San José's Building Related Fees and Taxes  
**The Committee recommended acceptance of the staff report.**
- (9) Oral Status Report of the San José Municipal Water System RFP  
**The Committee accepted the status report.**
- (10) Oral petitions  
**Kathy Brandhorst spoke on violence in California.**
- (11) Adjournment  
**The Committee was adjourned at 11:50 a.m.**

**The Finance and Technology Committee Report and actions of October 11, 2000 accepted with 7c(3) acted upon at Item 9a and Item 7c(6) acted upon at Item 9b.**

**d. Report of the Economic and Community Development Committee  
Council Member Diaz, Chair**

**No Report.**

## **7 COMMISSION, COMMITTEE, AND STANDING REPORTS**

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### **e. Report of the Transportation and Environment Committee – October 12, 2000 Council Member Powers, Chair**

#### **(1) Consent Calendar**

(a) First Quarter Report on South Bay Water Recycling System

(b) Monthly Report on County Airport Master Plan Process

**No action items to consider on the Consent Calendar.**

#### **(2) Traffic Calming Initiative**

**The Committee recommended acceptance of the status report.**

#### **(3) Report on Green Power Options**

**The Committee recommended approval of the report and recommendations on the Green Power Options, with the added recommendation that the City pursue conservation education.**

#### **(4) Oral petitions**

**None Presented.**

#### **(5) Adjournment**

**The meeting was adjourned at 3:40 p.m.**

**The Transportation and Environment Committee Report and actions of October 12, 2000 accepted.**

### **f. Report of the Education, Neighborhoods, Youth, and Seniors Committee Council Member Shirakawa, Jr., Chair**

**No Report.**

## **8 LAND USE AND DEVELOPMENT**

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- a. PUBLIC HEARING ON PETITION FOR TENTATIVE CANCELATION OF LAND CONSERVATION CONTRACT, for property consisting of approximately 13 acres located on the southerly side of Piercy Road, approximately 1,200 feet easterly of Silver Creek Valley Road. (Mission West Properties, L.P., Owner).

CEQA: Resolution No. 69699.

Contract No. 72-218 - District 2

**Resolution No. 69947 adopted.**

## 8 LAND USE AND DEVELOPMENT

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- b. PUBLIC HEARING ON PETITION FOR TENTATIVE CANCELATION OF LAND CONSERVATION CONTRACT, for property consisting of approximately 10 acres located on the southerly side of Piercy Road, approximately 1,200 feet easterly of Silver Creek Valley Road. (Mission West Properties, L.P., Owner). CEQA: Resolution No. 69699.

Contract No. 78-004 - District 2

**Resolution No. 69948 adopted.**

- c. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the south west corner of Coleman Avenue and West Hedding Street, from C-1 Commercial Zoning District to A(PD) Planned Development Zoning District, to allow a four-story, 51 room hotel on 0.46 gross acre. (George Nijmeh, Owner; Pinn Bros. Construction, Inc., Developer). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement recommends approval. Planning Commission recommends approval (7-0-0).

PDC 00-05-046 - District 3

(Deferred from 10/17/00 – Item 15e)

**Deferred to 10/31/00.**

## 9 GENERAL GOVERNMENT

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- a. (1) Approval of a general banking services agreement with Union Bank of California for the period of October 25, 2000 through June 30, 2003, with a maximum compensation each year of \$500,000.

**Approved.**

- (2) Adoption of appropriation ordinance and funding sources resolution amendments in the general fund to support the agreement with Union Bank of California for banking services.

(Finance/City Manager's Office)

[Finance and Technology Committee referral 10/11/00 – Item 7c(3)]

**Ordinance No. 26218 adopted.**

**Resolution No. 69949 adopted.**

- b. (1) Adoption of a resolution authorizing the City Manager to execute a second amendment to the agreement with Tiburon, Inc., for maintenance and warranty services for mobile data and automated report system software and related maintenance and warranty services for the Police Department's Automated Information System, at an additional cost not to exceed \$680,000, including tax, for a total cost not to exceed \$1,066,583.

**Resolution No. 69950 adopted.**

*This item continued on the next page.*

## 9 GENERAL GOVERNMENT

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- b. (2) Adoption of a resolution authorizing the City Manager to execute a second amendment to the agreement with TRW, Inc., for the purchase and installation of a Police Automated Information System extending the term of the agreement from December 31, 2000 to June 30, 2001, at no additional cost.

[Finance and Technology Committee referral 10/11/00 – Item 7c(6)]

**Resolution No. 69951 adopted.**

- c. Adoption of a resolution:

- (1) Approving amended business terms for a construction loan of \$650,000 to Green Valley Corporation for Phase II of the Siena Court Ownership Housing Project located on the south side of Martha Street, between South 11<sup>th</sup> Street and South 12<sup>th</sup> Street.
- (2) Approving amendments to the business terms for up to \$650,000 of the City's construction loan repayment amount for second mortgages for up to 20 units in the subject project.

(Housing)

**Resolution No. 69952 adopted.**

- d. Adoption of a resolution:

- (1) Approving business terms for loans aggregating up to \$1,000,000 to Neighborhood Housing Services Silicon Valley to assist in the acquisition, rehabilitation, and resale of properties in connection with the Mayfair Neighborhood Acquisition/Rehabilitation Pilot Program.
- (2) Approving business terms for converting up to \$1,000,000 of the loan to NHSSV to finance second mortgages for qualified moderate-income households.
- (3) Authorizing the Director of Housing to negotiate and execute a contract with NHSSV for acquisition and loan financing services, for a contract amount not to exceed \$100,000.
- (4) Authorizing the Director of Housing to approve loans resulting in a combined loan to value ratio of up to 120% of after rehabilitation value.
- (5) Authorizing as an exception to current policy, incomes of up to 120% of area median income, by household size, as qualifying for home-purchase assistance in conjunction with the Pilot Program.
- (6) Finding that the use of 20% Housing Funds to capitalize the Mayfair Acquisition Rehabilitation Pilot Program and to underwrite expenses by NHSSV to administer the program are a benefit to redevelopment project areas in San Jose.
- (7) Authorizing the Director of Housing to negotiate and execute all necessary documents on behalf of the City.

(Housing)

**Deferred to 10/31/00.**

- e. Adoption of a resolution amending the City's Pay Plan to create new job classifications, revising salary ranges and authorizing the City Manager to establish compensation rates for new classifications. (Human Resources)

**Deferred to 10/31/00.**

## 9 GENERAL GOVERNMENT

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- f. (1) Approval of the consultant's final report entitled "City of San José, California, Tow Company Rate Study" dated May 24, 2000.
- (2) Direction to staff to prepare the analysis for a Request for Proposal (RFP) which would include:
- (a) Revision of two (2) zones.
  - (b) Revised rate structure including a proportionate model based on a fixed return to the City and the City's revenue requirements.
  - (c) An updated survey of comparable cities' rates and services provided.
- (Planning, Building and Code Enforcement)  
**Deferred to 10/31/00.**
- g. Approval of a third amendment to the consultant services agreement with Parsons Transportation Group, Inc. relating to the Route 87 Freeway Project, extending the term of the agreement from December 31, 2000 to December 31, 2001, and increasing the total amount of compensation by \$903,000, to a total amount not to exceed \$2,853,000.  
CEQA: Resolution No. 65071. (Public Works)  
**Approved.**

### **Items 9h, 9i, 15a, 15b, 15c, and 15d considered together during Evening Session.**

- h. (1) Adoption of a resolution authorizing the City Manager, or any designee of the City Manager, to negotiate and execute a Master Funding Agreement with the State setting forth the terms and conditions pursuant to which the State will provide funding for use on local transportation facilities.  
**Resolution No. 69967 adopted. Disqualified: Dando.**
- (2) Adoption of a resolution authorizing the City Manager, or any designee of the City Manager, to negotiate and execute program supplements to the Master Funding Agreement with the State so that the City can obtain State funding for specific transportation projects.  
**Resolution No. 69968 adopted. Disqualified: Dando.**
- (3) Adoption of a resolution authorizing the City Manager to negotiate and execute the following agreements specifically related to the Bailey Extension Project:
- (a) A cooperation agreement with Caltrans setting forth the terms and conditions pursuant to which the City will bid, award and administer the construction of the Bailey Extension Project on behalf of the State.
  - (b) A cooperation agreement with Coyote Valley Research Park, LLC and the Santa Clara Valley Transportation Authority for the funding, design and construction of the Bailey Extension Project.

*This item continued on the next page.*

## 9 GENERAL GOVERNMENT

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### Items 9h, 9i, 15a, 15b, 15c, and 15d considered together during Evening Session.

- h. (3) (c) An agreement with HMM, Incorporated in an amount not to exceed \$1,395,000 regarding the provision of plans and specifications for the Bailey Extension Project and to provide the City with support services during construction of the Bailey Extension Project.
- (d) An agreement with Union Pacific Railroad to provide the City, at no cost to the City, with the encroachment permits and easements necessary to construct the Bailey Extension Project and possibly for a contribution of funds for the construction of the Project.
- (e) An agreement with the County of Santa Clara and Coyote Valley Research Park setting forth the terms and conditions pursuant to which the County will convey, at Coyote Valley Research Park's cost, the temporary and permanent easements necessary to construct the Bailey Extension Project, and will provide the City with an option to purchase additional property at fair market value for a future interchange at Monterey Road.

CEQA: Resolution No. 68705. (City Manager's Office/Public Works)

**Resolution No. 69969 adopted.**

- i. Approval of the following items with respect to the development of the North Coyote Valley Industrial Campus Area:
  - (1) Adoption of the Resolution of Intention to establish Community Facilities District No. 5 (North Coyote Valley), and set the public hearing on this matter for November 7, 2000 at 1:30 p.m.  
**Resolution No. 69959 adopted. Disqualified: Dando.**
  - (2) Adoption of a resolution authorizing the City Manager to negotiate and execute the Land Transfer and Maintenance Agreement with Coyote Valley Research Park, LLC and the Santa Clara Valley Water District regarding the flood control facilities.  
**Resolution No. 69960 adopted. Disqualified: Dando.**
  - (3) Adoption of a resolution authorizing the City Manager to negotiate and execute the first amendment to the agreement with E. Wagner & Associates for financial consulting services, increasing compensation by \$10,000, from \$60,000 to \$70,000.  
**Resolution No. 69961 adopted. Disqualified: Dando.**
  - (4) Adoption of a resolution authorizing the City Manager to negotiate and execute the first amendment to the agreement with Berryman & Henigar for tax consultant services, increasing compensation by \$22,500, from \$62,000 to \$84,500, and extending the term of the agreement from December 31, 2000 to June 30, 2001.  
**Resolution No. 69962 adopted. Disqualified: Dando.**

*This item continued on the next page.*

## 9 GENERAL GOVERNMENT

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### Items 9h, 9i, 15a, 15b, 15c, and 15d considered together during Evening Session.

- (5) Adoption of a resolution authorizing the City Manager to negotiate and execute the first amendment to the agreement with Jones Hall for special counsel services, increasing compensation by \$10,000, from \$80,000 to \$90,000.

**Resolution No. 69963 adopted. Disqualified: Dando.**

- (6) (a) Adoption of the resolution authorizing the City Manager to negotiate and execute a Cooperation Agreement between the City of San José and Coyote Valley Research Park Associates for the City's cooperation and assistance in the development of proposed major infrastructure improvements for the North Coyote Valley Industrial Park

**Resolution No. 69964 adopted. Disqualified: Dando.**

- (b) Approval of an uncodified ordinance to establish the North Coyote Valley Incentive Zone to allow the deferral of the payment of certain development related fees and taxes.

**Ordinance No. 26223 passed for publication.**

**Disqualified: Dando.**

- (7) Adoption of an appropriation ordinance and funding sources resolution amendments in the Water Utility Fund, Water Utility Capital Fund, and Treatment Plan Connection Fee Fund to provide \$7 million for the North Coyote Valley Water Project.

**Ordinance No. 26224 adopted. Disqualified: Dando.**

**Resolution No. 69965 adopted. Disqualified: Dando.**

- (8) Adoption of a resolution authorizing the City Manager to negotiate and execute a Cooperation Agreement with Sobrato Development Company to cooperate and support the formation of a Community Facilities District in North Coyote Valley.

CEQA: Resolution No. 69957 adopted. (City Manager's Office/Public Works/Finance)

**Resolution No. 69966 adopted. Disqualified: Dando.**

- j. (1) Approval of an ordinance amending Chapter 9.10 of the San José Municipal Code to establish the Construction and Demolition Diversion Deposit Program for specified Construction & Demolition Project categories.

**Ordinance No. 26219 passed for publication.**

- (2) Adoption of a resolution establishing the deposit rates for the Construction and Demolition Diversion Deposit Program.

CEQA: Resolution No. 65459. (Environmental Services)

(Deferred from 9/26/00 – Item 9c and 10/17/00 – Item 9a)

**Resolution No. 69953 adopted.**

## 9 GENERAL GOVERNMENT

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k. Adoption of a resolution:

- (1) Approving business terms for conditional grant of up to \$4,866,000 to CORE Development, Inc., or its designated partnership, for the development of a 157-unit Single Room Occupancy affordable to extremely low-income households on approximately 1.46 acres of a 2.92-acre site located at 2030 and 2150 Monterey Road north of Tully Road; and
- (2) Approving an additional reservation of HOME federal funding of up to \$2,559,294 for construction financing for the project.

**Resolution No. 69954 adopted.**

- (3) Adoption of appropriation ordinance and funding sources resolution amendments in the HOME Investment Partnership Program Fund (Fund 445) to do the following:

- (a) Increase the Earned Revenue estimate by \$11,449,144 from \$5,161,736 to \$16,610,880.
- (b) Increase the HOME Loans and Grants appropriation to the Housing Department estimate by \$11,449,144 from \$3,896,000 to \$15,345,144.

(Housing/City Manager's Office)

(Rules Committee referral 10/18/00)

**Ordinance No. 26220 adopted.**

**Resolution No. 69955 adopted.**

l. Adoption of a resolution:

- (1) Approving business terms for conditional grant of up to \$3,781,000 to CORE Development, Inc., or its designated partnership, for the development of a 148-unit Single Room Occupancy affordable to extremely low-income households on approximately 1.46 acres of a 2.92-acre site located at 2030 and 2150 Monterey Road north of Tully Road.
- (2) Approving an additional reservation of HOME federal funding of up to \$2,559,295 for construction financing for the project.

(Housing)

(Rules Committee referral 10/18/00)

**Resolution No. 69956 adopted.**

## 10 FISCAL AFFAIRS

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## **11 JOINT CITY COUNCIL/REDEVELOPMENT AGENCY ITEMS**

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### **CONVENE REDEVELOPMENT AGENCY BOARD TO CONSIDER ITEM 11a IN A JOINT SESSION**

- a. (1) Adoption by the City Council of a response to written objections from property owners and taxing entities to the adoption of the Neighborhood Business Clusters Redevelopment Plan and the merger of the Neighborhood Business Clusters Redevelopment Plan into the San Jose Merged Area Redevelopment Plan.
- (2) Final adoption of ORDINANCE NO. 26196 – Adopts the Neighborhood Business Clusters Redevelopment Plan and makes certain findings.
- (3) Final adoption of ORDINANCE NO. 26197 – Amends the Julian-Stockton Redevelopment Plan, the Olinder Redevelopment Plan, the San Antonio Plaza Redevelopment Plan, the Rincon de Los Esteros Redevelopment Plan, the Pueblo Uno Redevelopment Plan, the Edenvale Redevelopment Plan, the Guadalupe-Auzerais Redevelopment Plan, the Market Gateway Redevelopment Plan, the Century Center Redevelopment Plan, the Alum Rock Avenue Redevelopment Plan, the East Santa Clara Street Redevelopment Plan, the Almaden Gateway Redevelopment Plan, the Story Road Redevelopment Plan, The Alameda Redevelopment Plan, the West San Carlos Street Redevelopment Plan, the Japantown Redevelopment Plan, the Monterey Corridor Redevelopment Plan, the Park Center Redevelopment Plan, the Civic Plaza Redevelopment Plan, and the Neighborhood Business Clusters Redevelopment Plan to effect the merger of said Redevelopment Project Areas and making certain findings.

(Deferred from 9/19/00 – Item 11a et al., and 10/10/00 – Item 11a)

**Deferred to 11/21/00.**

### **ADJOURN REDEVELOPMENT AGENCY BOARD PORTION OF THE MEETING**

## **12 PERMITS AND LICENSES**

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## **13 PUBLIC SAFETY AND WELFARE**

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## **14 ORAL COMMUNICATIONS**

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- (1) Ross Signorino spoke in support of saving the San José Hospital.
- (2) William J. Garbett spoke on public accountability regarding the renaming of the Arena.

**Following Oral Communications, Council recessed at 2:15 p.m. and reconvened at 7:05 p.m., Council Chambers in City Hall**

**SAN JOSÉ CITY COUNCIL  
OCTOBER 24, 2000  
7:00 P.M.**

**Items 9h, 9i, 15a, 15b, 15c, and 15d considered together during Evening Session.**

**15 PUBLIC HEARINGS**

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- a. PUBLIC HEARING ON THE APPEAL OF THE CERTIFICATION by the Planning Commission of the COYOTE VALLEY RESEARCH PARK FINAL ENVIRONMENTAL IMPACT REPORT for a Planned Development Rezoning to allow the development of approximately 689-gross-acre site located west of U. S. Highway 101 and Coyote Creek and immediately south of Tulare Hill. The rezoning would allow development of 6.6 million square feet of building space on approximately 388 acres. The remaining acreage will be used for infrastructure to serve the project including a 269-acre flood detention basin and an electric power substation.  
PDCSH 99-06-053 - District 2  
**CEQA Resolution No. 69957 adopted. Disqualified: Dando.**
  
- b. PUBLIC HEARING ON NORTH COYOTE VALLEY CAMPUS INDUSTRIAL AREA MASTER DEVELOPMENT PLAN for properties within the North Coyote Valley to allow revisions to a previously approved Master Development Plan on approximately 1,440 acres. (Various Owners). CEQA: Resolution No. 69957 adopted.  
District 2  
**Resolution No. 69958 adopted. Disqualified: Dando.**
  
- c. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING for the property located on both sides of Santa Teresa Boulevard southerly of Tulare Hill and northerly of Bailey Avenue, from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District, to allow approximately 6.6 million square feet of Campus Industrial uses on approximately 689 gross acres. (Coyote Valley Research Park, LLC, and Robert Weyhe, Owner; Coyote Valley Research Park, LLC, Developer).  
CEQA: Resolution No. 69957 adopted.  
PDCSH 99-06-053 District 2  
**Ordinance No. 26221 passed for publication. Disqualified: Dando.**

## 15 PUBLIC HEARINGS

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**Items 9h, 9i, 15a, 15b, 15c, and 15d considered together during Evening Session.**

- d. PUBLIC HEARING and approval of an ordinance granting the DEVELOPMENT AGREEMENT FOR PLANNED DEVELOPMENT REZONING PDCSH 99-06-053 for the property located on both sides of Santa Teresa Boulevard southerly of Tulare Hill and northerly of Bailey Avenue, from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District, to allow approximately 6.6 million square feet of Campus Industrial uses on approximately 689 gross acres. (Coyote Valley Research Park, LLC, and Robert Weyhe, Owner; Coyote Valley Research Park, LLC, Developer). CEQA: Resolution No. 69957 adopted.  
PDCSH 99-06-053 District 2

**Ordinance No. 26222 passed for publication. Disqualified: Dando.**

**Council (1) approved the Coyote Valley Research Park proposed project and related agreements as recommended by Staff with additional direction stipulated in the 10/23/00 memorandum from Mayor Gonzales and Council Member Powers; (2) approved the Staff recommendations for the Bailey Extension Project in North Coyote Valley as proposed in the 10/18/00 memorandum from Senior Deputy City Manager Darrell Dearborn; (3) approved recommendations for North Coyote Valley Campus Industrial Area as contained in 10/18/00 memorandum from Senior Deputy City Manager Darrell Dearborn; (4) approved the Proposed Cooperation Agreement Between the City of San José and Coyote Valley Research Park Associates, as proposed by Senior Deputy City Manager Darrell Dearborn; (5) approved the appropriation ordinance and funding sources resolution amendments in the Treatment Plant Connection Fee Fund, the Water Utility Fund, and the Water Utility Capital Fund for the North Coyote Valley Water Project as recommended in the 10/13/00 memorandum from Budget Director Larry D. Lisenbee; (6) approved the proposed Cooperation Agreement Between the City of San José and Sobrato Development Company and authorized the negotiation and execution of same in the formation of a Community Facilities District in North Coyote Valley; and (7) approved the recommendations contained in Council Member LeZotte's memorandum of 10/24/00 regarding the Cisco Master Plan: Green Building Opportunities. Disqualified: Dando.**

- e. PUBLIC HEARING ON APPEAL OF THE PLANNING COMMISSION'S DECISION to approve a Conditional Use Permit for a project located at the south side of Moorpark Avenue, on a 3.15 gross acre site in the R-1 Residence Zoning District, for the demolition of a portion of an existing church, an addition resulting in a net increase of 48,910 square feet and other site improvements with a condition limiting total building occupancy to 868 people. (Crossroads Bible Church, Owner/Developer). CEQA: Negative Declaration.  
CP 98-12-062 - District 6

**Dropped. – To Be Renoticed.**

## **16    CLOSED SESSION REPORT**

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## **17    ORAL COMMUNICATIONS**

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**Walter Phillips, Jr., submitted for the public record a request for voter approval of General Obligation Bonds, Measure O and Measure P, for Neighborhood Libraries and Neighborhood Parks.**

## **18    ADJOURNMENT**

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**The Council of the City of San José adjourned at 12:30 a.m., in memory of Leroy Woody, Council Member Woody’s brother-in-law and long-time resident of Miccosukee, Florida; and in memory of Monsignor Matthew E. Sheedy, beloved pastor of Sacred Heart Church since 1988, San José, CA.**